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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2643

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13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,608

Applicant(s)

SNIP ET AL.

Examiner

Melur Ramakrishnaiah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8,12,15-25 and 29-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8,12,15-25 and 29-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5, 7, 12, 15-17, 22-25, 29-30, 34-35, 36, 37, 38, 39-41, 43, 44-46, 48, 49-51, 53, are rejected under 35 U.S.C 102(e) as being anticipated by Dillon (US PAT: 6,067,561, filed 2-7-1997).

Regarding claim 1, Dillon discloses a method for activating a local terminal connectable to a first network comprising the steps of: selecting a network node (for example 37, figs. 1-2) with an identifier by a server out of plurality of network nodes (for example (nodes connected to terminals such as 22, 24, etc) with different identifiers for connecting to a second network (figs. 1-2, col. 8 lines 34-51, note: second network is satellite network), transmitting, by the server (28, figs. 1-2) and via second network an activation code with the identifier of the selected network node to a local activation

module (reads on processor 34, fig. 2) which is connected to the second network and to the local terminal (col. 8 lines 23-33, col. 9 lines 28-38), activating, by the activation module and after receiving the activation code (col. 10 lines 16-40), in accordance with the value of the identifier (col. 8 lines 48-51).

Regarding claim 22, Dillon discloses a server (12/28, fig. 2) comprising selection means for activating a local terminal (18, fig. 2), in plurality of ways, connected to a first network (44, fig. 2) by selecting a network node with an identifier for an activation code out of plurality of network nodes with different identifiers of a second network (figs. 1-2, col. 8 lines 34-51, col. 10 lines 16-40).

Regarding claim 36, Dillon discloses a system (figs. 1-2) for activating a local terminal (18, fig. 2) connected to a first network (44, fig. 2), the system comprising: an activation module (34, fig. 2) which is connected to a server via second network (note: second network is satellite network) and to a local terminal (18, col. 8 lines 23-33, col. 9 lines 28-37), wherein the server comprises selection means to select a network node (for example 37, figs. 1-2) with identifier out of plurality network nodes with different identifiers (note: each of the terminals 18, fig. 2, have their one identifiers, col. 8 lines 48-51) and passing an activation code with the identifier of the selected network node to the activation module (col. 8 lines 23-33), the activation module records the identifier so as to define a recorded identifier and activates the local terminal, after receiving the activation code, in accordance with the value of the identifier (col. 8 lines 66-67, col. 9 lines 1-21).

Regarding claim 37, Dillon discloses a module for making a connection between the local terminal and server via network, comprising: means for receiving, from a server 12/28, fig. 2) an activation code comprising an identifier of a node selected by the server from a plurality of nodes with different identifiers via which a server is connected to the network (col. 8 lines 48-51), means for recording the identifier, so as to define a recorded identifier, and activating the terminal in accordance with a value of the recorded identifier (col. 8 lines 66-67, col. 9 lines 1-21).

Regarding claims 38, 39, 49, Dillon discloses a method for activating a local terminal connected to a first network (44, fig. 2), the method comprising the steps of: transmitting, by a server (12/28, fig. 2) and via a second network (note: second network is satellite network, fig. 2), an activation code, the code comprising a message to a selected local activation module (34, fig. 2) which is connected to the second network and to the local terminal (18, col. 8 lines 23-33, col. 9 lines 28-37), and after reception of the activation code by the selected activation module, activating the local terminal by the selected local activation module wherein the message can be read by the local terminal (col. 9 lines 13-27).

Regarding claim 44, Dillon discloses a system for activating a local terminal connected to a first network (44, fig. 2), the system comprising: a local activation module (34, fig. 2), which is connected to a second network and to the local terminal (18, fig. 2), wherein the second network passes an identifier of a node via which a server (12/28, fig. 2) is connected to a second network, and the activation module (34, fig. 2) records the identifier so as to define a recorded identifier and activates the

terminal, after receiving an activation code, in accordance with a value of the recorded identifier, and wherein activation code comprises a message and system further comprises means for passing on the message to the terminal (col. 8 lines 66-67, col. 9 lines 1-27).

Regarding claims 2-5, 7, 12, 15-17, 23-25, 29-30, 34-35, 40-41, 43, 45-46, 48, 50-51, 53, Dillon further teaches the following: activating, through the activation module (34, fig. 2), a connection between the local terminal (18, fig. 2) and the server (12, fig. 2) via the first network (44, fig. 2), and further activating by the server, the local terminal (col. 9 lines 13-51), activation code comprises a message that is sent by the server to the activation module (34, fig. 2) and that can be read by the local terminal (18, fig. 2) after having been activated by the activation module, message is a notification message, the notification message relates to a message that is waiting in the server to be read by the user of a local terminal, message waiting in the server is an email message (col. 9 lines 13-51, col. 3 lines 55-65), activation module (34, fig. 2) is adapted to activate a connection between the local terminal and the server, via the first network (44, fig. 2), which server further activates the local terminal (18, col. 9 lines 13-51), first network (44, fig. 2) and second network are separate networks as shown in fig. 2, first network and second network are at least partially constituted by a same network (col. 9 lines 45-49), server (28, fig. 2) comprises means for connecting to an external terminal or other server and adapted to be controlled by the external terminal or the other server on the basis of control parameters (col. 3 lines 36-42), activation code comprises a message and the module (34, fig. 2) comprises means for passing on the message to

the local terminal (col. 3 lines 55-65), module (34, fig. 2) is implemented as hardware/software (col. 8 lines 23-33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 8, 31, 42, 47, and 52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Smith (US PAT: 6,333,973, filed 4-23-1997).

Regarding claims 6, 8, 31, 42, 47, and 52 Dillon does not teach the following:
the message/message waiting is an SMS message.

However, Smith discloses integrated message center, which teaches the following: the message/message waiting is an SMS message (col. 9 lines 6-11).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Dillon's system to provide for the following: the message/message waiting is an SMS message as this arrangement would enable the user to receive messages of different kind as taught by Smith, thus enabling the user to obtain different message types.

5. Claims 18-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Gordon (US PAT: 4,713,837).

Regarding claims 18-21, Dillon does not teach the following: the local terminal is adapted to control further devices, the activation module or the other server are adapted

to control further devices, at least one of the activation module or and the local terminal are integrated within the further devices, further devices are domestic devices.

However, Gordon discloses communication network which teaches the following: the local terminal (18, fig. 1) is adapted to control further devices (for example 19, fig. 1), the activation module in (16, fig. 1) or the other server (20, fig. 1) are adapted to control further devices, at least one of the activation module or and the local terminal are integrated within the further devices, further devices are domestic devices (col. 5 lines 35-68, col. 6 lines 1-8, lines 29-50).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Dillon's system to provide for the following: the local terminal is adapted to control further devices, the activation module or the other server are adapted to control further devices, at least one of the activation module or and the local terminal are integrated within the further devices, further devices are domestic devices as this arrangement would facilitate further functionality such as controlling domestic appliances etc as taught by Gordon, thus providing additional services for the users.

6. Claims 32-33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Randall et al. (WO 91/13510, hereinafter Randall).

Regarding claims 32—33, Dillon does not teach the following: means for detecting a terminal status code relating the status of the local terminal and adapted to pass status code, via network, to the server, the status code comprises an indication whether the local terminal is active or inactive.

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However, Randall discloses communication network and communication device which teaches the following: means in (3, fig. 1) for detecting a terminal status code (reads on polling signal) relating the status of the local terminal (3) and adapted to pass status code, via network, to the server (9, fig. 1), the status code comprises an indication whether the local terminal is active or inactive (page 4 lines 27-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Dillon's system to provide for the following: means for detecting a terminal status code relating the status of the local terminal and adapted to pass status code, via network, to the server, the status code comprises an indication whether the local terminal is active or inactive as this arrangement would facilitate to receive messages stored in a server when the terminal is ready to receive the messages as taught by Randall, thus facilitating message reception efficiency from server.

Response to Arguments

7. Applicant's arguments with respect to claims 1-8, 12, 15-25, 29-53 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643